

Remarks/Arguments:

Previously Unentered Amendment

Applicants respectfully request NON-ENTRY of the Amendment filed on February 13, 2006 in response to the Final Office Action. Applicants further request that ONLY the presently-filed Amendment be entered.

Applicants respectfully request acknowledgement of a change in the Attorney Docket Number for all future communications from SSM-488US to WBF-100US.

Claims 1, 4-14, 16, 17, 19, 27, 30-32, 35-41 and 43-50 are pending in the application. In a final office action dated November 15, 2005, claims 1, 4-14, 16, 17, 27, 30-32, 35-41 and 43-50 were rejected under 35 U.S.C. § 112, first and second paragraphs. The Office Action indicated that the claims would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. § 112, first and second paragraphs.

Applicants have rewritten and amended the claims as suggested in the Office Action, and therefore respectfully submit that the claims are in form for allowance.

Claim 19 was not discussed in the Office Action. Applicants have assumed that this was an inadvertent omission, and therefore will treat claim 19 as being subject to the claim rejections under 35 U.S.C. § 112.

Claim Rejections - 35 U.S.C. § 112, 1st Paragraph

Applicants respectfully submit that the claims as written are sufficiently enabling in view of the recited features. For purposes of expediting prosecution, Applicants have amended the independent claims to positively recite the "means for maintaining a substantially constant ratio of more volatile to less volatile constituents in the solution."

Claim 1 was amended to positively recite "means for maintaining a substantially constant ratio of more volatile to less volatile constituents in the solution undergoing concentration comprising a recycling line connected between the multi-stage condenser and a pump installed in said recycling line for recycling at least part of said condensate from the condenser." Method claims 14 and 50 were each amended to recite the step of "recycling at least part of said liquid condensate to said evaporator to maintain a substantially constant ratio of more volatile to less volatile constituents in the solution in the evaporator." Support for these amendments are found on pages 8 and 9 of Applicants' specification, among other locations.

Applicants submit that any enablement issue found to exist under 35 U.S.C. § 112, first paragraph is resolved in view of amendments to independent claims 1, 14 and 50.

Claims 4-13, 16, 17, 19, 27, 30-32, 35-41 and 43-49 are dependent on either amended claim 1 or amended claim 14 and incorporate all the elements or method steps recited in claim 1 or claim 14. Therefore, any enablement issues found with regard to claims 4-13, 16, 17, 19, 27, 30-32, 35-41 and 43-49 are believed to be resolved in view of the amendments to claims 1 and 14.

Claim Rejections - 35 U.S.C. § 112, 2nd Paragraph

Applicants have responded to the rejections under 35 U.S.C. § 112, 2nd Paragraph by addressing subparts a) through e) as presented in the Office Action.

Part a)

Applicants respectfully submit that there is no confusion or ambiguity presented by the claim language which describes the multi-stage condenser, or method steps related to a multi-stage condenser. Nevertheless, for purposes of expediting prosecution, Applicants have amended the independent claims to describe the multi-stage condenser in terms of a means for changing fluid phases.

Claim 1 has been amended to recite "a multi-stage condenser downstream of said vapor concentration means to condense at least a portion of said overhead product into a liquid condensate." Claims 14 and 15 have each been amended to recite the step of "condensing at least a portion of said overhead product in said multi-stage condenser into a liquid condensate." These amendments relating to the multi-stage condenser are supported in Applicants' specification on pages 8 and 9, among other sections.

Part b)

Applicants respectfully submit that the specification clearly describes that both the condensate and bottoms product may be recycled to the evaporator. Moreover, the noted language in claim 1 ("said bottom product passed through said condenser stages . . .") has been removed as part of the above-described amendment. Therefore, the issue raised in this subpart is believed to be moot.

Part c)

Applicants respectfully submit that the terms "condenser" and "condenser stages" refer to distinct elements. A multi-stage condenser encompasses condenser stages. It is sometimes necessary to recite a feature of the condenser in general, and sometimes necessary to recite a feature of the individual stages. Regardless, Applicants respectfully submit that the noted language in claim 1 was removed by amendment. Therefore, the issue raised in Part c) is believed to be moot.

Part d)

Applicants have amended claim 13 to remove the reference to "said fluid evaporation during flash evaporation." Therefore, Applicants respectfully submit that any concern regarding antecedent basis is resolved.

Part e)

Applicants respectfully submit that the phrase "expanding under vacuum" is clear to one of ordinary skill in the art. A fluid expands under a vacuum. Nevertheless, to expedite prosecution, Applicants have amended claims 1 and 14 to replace the term "expanding" with "placing." Applicants believe that any perceived ambiguity is effectively resolved by this amendment.

Allowable Subject Matter

Applicants gratefully acknowledge the Examiner's determination of allowability of the claims, assuming that the rejections under 35 U.S.C. § 112 are resolved. Applicants

respectfully submit that the amended claims resolve all such rejections and therefore place this application in form for allowance.

New Claims

Applicants have added dependent claims 52-54. Claim 52 recites the vacuum distillation plant according to claim 1 comprising a discharge pipe for conveying the bottoms product from the evaporator to the multi-stage condenser where the bottoms product acts as a heat carrier that absorbs heat, said plant further comprising a circulation line for recycling the bottoms product from the multi-stage condenser back into the evaporator.

Claim 53 is directed to the process according to claim 14 comprising the step of conveying the bottoms product from the evaporator to the multi-stage condenser where the bottoms product acts as a heat carrier that absorbs heat.

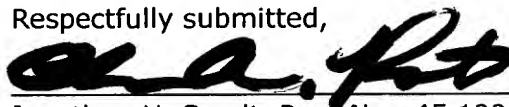
Claim 54 recites a process according to claim 50 comprising the step of conveying the bottoms product from the evaporator to the multi-stage condenser where the bottoms product acts as a heat carrier that absorbs heat.

Support for new claims 52-54 may be found in originally filed claim 3 and page 8 of the specification, among other locations. No new subject matter has been added in new claims 52-54. Claims 52-54 are believed to be allowable for at least the same reasons that independent claims 1, 14 and 50 are allowable.

Conclusion

Based on the foregoing amendments and remarks, Applicants believe that the rejections under 35 U.S.C. § 112 are traversed. In addition, Applicants submit that new dependent claims 52-54 add no new subject matter and are believed to be allowable for at least the same reasons that independent claims 1, 14 and 50 are allowable. If the Examiner believes that any issues remain which preclude allowance of the application, the Examiner is kindly encouraged to contact the undersigned at (610) 993-4213.

Respectfully submitted,



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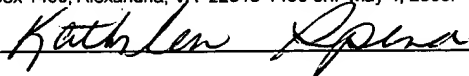
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Dated: May 4, 2006

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The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: MAIL STOP RCE Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: May 4, 2006.



Kathleen Spina